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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

**Docket Number (Optional)**  
IL-10443

First named inventor: Charles R. Musick et al.

Application No.: 09/479,432

Art Unit: 2172

Filed: January 7, 2000

Examiner: A. Ly

Title: System And Method For Integrating  
And Accessing Multiple Data Sources  
Within A Data Warehouse Architecture

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee —required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of Response and RCE (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

01/12/2005 AWONDAF1 00000021 501913 09479432

01 FC:2453 750.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 4, 2005

Date

*John P. Wooldridge*  
Signature

Telephone

Number: 808-875-0012

John P. Wooldridge

Typed or printed name

252 Kaipii Pl.

Address

Kihei, HI 96753

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Fee Authorization, RCE Transmittal, Postcard

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

January 4, 2005

Date

*John P. Wooldridge*  
Signature

John P. Wooldridge

Type or printed name of person signing certificate



PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/479,432
Filing Date	January 7, 2000
First Named Inventor	Charles R. Musick et al.
Art Unit	2172
Examiner Name	A. Ly
Attorney Docket Number	IL-10443

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 501913

i. ☒ RCE fee required under 37 CFR 1.17(e) (\$395)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	John P. Wooldridge	Registration No. (Attorney/Agent)	38725
Signature	<i>John P. Wooldridge</i>	Date	January 4, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	John P. Wooldridge
Signature	<i>John P. Wooldridge</i>
Date	January 4, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/12/2005 AWONDAF1 00000022 501913 09479432

01 FC:2801 395.00 DA



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Charles R. Musick et al.

Docket No.: IL-10443

Serial No. : 09/479,432

Art Unit: 2172

Filed : January 7, 2000

Examiner: A. Ly


For : System And Method For Integrating  
And Accessing Multiple Data Sources  
Within A Data Warehouse Architecture

FEE AUTHORIZATION FOR FILING A PETITION FOR REVIVAL UNDER 37 CFR  
1.137(B)

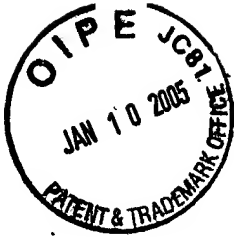
The fee required for filing a Petition for Revival for a Small Entity is \$750.

The Commissioner is hereby authorized to deduct the required fee (\$750.)  
from Deposit Account 501913.

Respectfully submitted,

  
John P. Wooldridge  
Attorney for Appellants  
Registration No. 38,725  
Tel. No. (808) 875-0012

Dated: January 4, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RESPONSE AFTER NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed January 2, 2004, please consider  
the following remarks.

### REMARKS

Claims 1-53 were presented for examination. Claims 1-8, 18, 20, 21, 24-31, 41, 43, 44, 48, 52 and 53 are pending and are rejected. Reconsideration is respectfully requested.

#### The 35 U.S.C. 103(a) Rejections

Claims 1-6, 8, 18, 20, 21, 24-29, 31, 41, 43, 44, 48, 52 and 53 are rejected as being unpatentable over Chen in view of Rigault et al.

The present application has a priority date of January 8, 1999. The Chen reference has a priority date of January 15, 1999. Thus, the Chen reference is not a valid reference against the present application. Therefore the rejection should be withdrawn.

Claims 7 and 30 are rejected as being unpatentable over Chen in view of Rigault et al. and further in view of Wetherbee.

As discussed above, the Chen reference is not a valid reference in the present case. Therefore the rejection should be withdrawn.

Further, in the Office action mailed 7-30-03, the Examiner indicated that claims 18, 19, 41, 42 and 48 were allowable because the references did not disclose the features of data warehousing applications in the domain of protein sequence and structure analysis; the domain of functional genomics and proteomics; and the domain

of astrophysics. In response, the applicant amended claims 18, 41 and 48 as suggested by the examiner. The applicant also amended claim 1 and 24 to include the domain of functional genomics and proteomics.

The Examiner indicated in Office action mailed 1-2-04 (to which this paper is responsive) that it was made final because the applicants' amendment necessitated the new ground(s) of rejections. The Examiner has apparently made the action final because claims 1 and 24 were amended. The Examiner then conducted a new search and now presents those references for the first time.

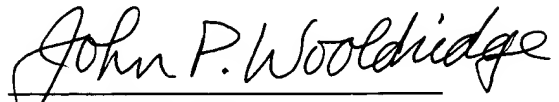
Based on the Examiner's statement of reasons for allowance in the action mailed 7-30-04, the applicant could reasonably believe that the amendments to claims 1 and 24 would place them in condition for allowance because each claim is directed to data warehousing applications in the domain of functional genomics and proteomics. These claims correspond to the subject matter indicated in the Examiners' statement of allowable subject matter provided in Item 3 of the Office action mailed 7-30-04.

### **Conclusions**

It is submitted that this application is in condition for allowance based on claims 1-8, 18, 20, 21, 24-31, 41, 43, 44, 48, 52 and 53 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please  
contact the undersigned at 808-875-0012.

Respectfully submitted,

A handwritten signature in cursive script that reads "John P. Wooldridge". The signature is written in dark ink and is positioned above a horizontal line.

John P. Wooldridge  
Attorney for Applicant  
Registration No. 38,725

Dated: January 4, 2005





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Charles R. Musick et al.

Docket No.: IL-10443

Serial No. : 09/479,432

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that the *attached* correspondence comprising:

1. Petition for Revival (2 pages);
2. Fee Authorization for Petition for Revival (in duplicate);
3. Request for Continued Examination (in duplicate);
4. Response (4 pages);
5. Certificate of Mailing; and
6. Return Postcard;

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

on January 4, 2005

John P. Wooldridge

(Type or print name of person mailing paper)

(Signature of person mailing paper)